



DPL  
PATENT  
Customer No. 22,852  
Attorney Docket No. 07883.0063

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Peter BOEKSTEGERS et al. ) Group Art Unit: 3738  
Application No.: 10/671,581 ) Examiner: PREBILIC, PAUL B  
Filed: September 29, 2003 )  
For: METHODS OF ) Confirmation No. 1494  
RETROPERFUSION AND )  
RELATED DEVICES )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

The Office Action mailed January 3, 2006 required Applicants to elect one of the following allegedly distinct inventions for prosecution:

- I. Claims 1-44, 107, and 108, allegedly drawn to methods of treating the heart;
- II. Claims 45-94, 105, 106, 109, and 110, allegedly drawn to a system for treating a heart (the combination);
- III. Claims 95-104, allegedly drawn to a device (the subcombination); and
- IV. Claims 111-112, allegedly drawn to a stent.

Without necessarily agreeing with the characterizations made in the Office Action, Applicants respectfully elect Group I, claims 1-44, 107, and 108 for prosecution, without traverse.

The Office Action also required Applicants to elect one of the following allegedly patentably distinct species from each species set:

Species Set I (methods)

A) Figure 1;

B) Figure 2;

Species Set II (obstruction devices or elements)

1. Figure 3	7. Figure 8
2. Figure 4B	8. Figure 9
3. Figure 5A	9. Figures 10A and 10D
4. Figure 5B	10. Figure 11
5. Figure 6	11. Figure 12A to 13
6. Figure 7	12. Figure 14A and 15.

Without necessarily agreeing with the characterizations made in the Office Action, Applicants respectfully elect Species A, Figure 1 from Species Set I, and Species 9, Figures 10A and 10D from species Set II for prosecution, without traverse. Of the Group I claims, at least claims 1-17, 19-22, 30-31, 33-44, 107, and 108 read on Figure 1 and Figures 10A and 10D.

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Response to Restriction Requirement - February 27, 2006

If there is any fee due in connection with the filing of this Response, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: February 27, 2006

By:   
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